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EXAMINER	
ARMSTRONG, ANGELA A	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

1. Applicant's arguments filed August 27, 2008, have been fully considered but they are not persuasive. Applicant argues neither Weber nor Narayanaswami teach, disclose, or suggest at least a speech recognition apparatus including a processor configured to analyze and modify a grammar prior to receiving a speech input, wherein the speech input is not an acceptable response in the grammar, but is acceptable in the modified grammar. Applicant also argues Weber and Narayanaswami are silent regarding modifying a grammar to produce a second grammar. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this instance, Weber was cited for teaching a voice application platform including a processor that is configured to analyze the grammar and to modify the grammar and a speech recognizer coupled to the processor to interpret the speech input as a function of the data input object, and to produce the user selection. Weber does not disclose the processor is configured to analyze the grammar prior to receiving speech input, to identify at least one characteristic of the grammar independent of prior speech input such that the input is not acceptable response in the grammar received from the first application, but is an acceptable response in the modified grammar. Narayanaswami was cited for teaching a system for providing a voice menu for an interactive voice response system, which downloads a voice menu to a user to provide interaction with a website or system and modifies or updates the grammar in an operation that is transparent to the user. Narayanaswami suggests the system can be used in a speech recognition environment, since he teaches the system 100,

includes an input device 101, such as voice recognition input (col. 3, lines 20-22), and that the input 101 can be used to select menu options (col. 5, lines 59-64). The system determines if the voice menu is available or current and if not, the most current voice menu file is downloaded to the caller all prior to the user's first input and in an operation that is transparent to the user. Thereby modifying the grammar that is available to the caller producing a second grammar that is produced from modifying a first grammar.

2. Applicants argue neither Weber nor Narayanaswami disclose analyzing a first grammar prior to receiving a first set of responses to identify a characteristic and selecting a response to be sent to the application as a function of the characteristic. The Examiner cannot concur. Narayanswami's system downloads a voice menu to a user to provide interaction with a website or system and modifies or updates the grammar in an operation that is transparent to the user. The system determines if the voice menu is available to the caller as well as analyzes the menu to determine if it is the most current menu. If the menu or grammar needs to be updated, the most current voice menu file is downloaded to the caller all prior to the user's first input and in an operation that is transparent to the user. Thereby, identifying the availability of the menu ("the identifying characteristic) and selecting a response ("current menu") as a function of the characteristic.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELA A. ARMSTRONG whose telephone number is (571)272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Angela A Armstrong/
Primary Examiner, Art Unit 2626